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March 6, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**DESIGNATION OF THE DEPARTMENT OF PUBLIC HEALTH AS
LOCAL ENFORCEMENT AGENCY FOR SOLID WASTE MANAGEMENT
IN LOS ANGELES COUNTY
(All Districts) (3 Votes)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the attached resolution (Exhibit I) to redesignate the Department of Public Health (DPH or Department) as the Local Enforcement Agency (LEA) for Solid Waste Management in the unincorporated areas of the County, and all of the incorporated jurisdictions of the County, (except those jurisdictions which specify another LEA for this purpose).
2. Delegate authority to the Director of DPH, or his designee, to further sign the adopted resolution and other related documents as required by the California Integrated Waste Management Board (CIWMB).
3. Instruct the Clerk of the Board to return a certified copy of the adopted resolution to the Department and to sign and return the Notice of Designation, "Form 1000," (Exhibit II) to the Department for inclusion in the designation package which must be sent to the CIWMB.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:

Approval of the recommended actions will identify DPH as the department within the County responsible for acting as the LEA (which is no longer the Department of Health

Services [DHS] as a result of the separation of DPH from DHS), and will comply with CIWMB requirements that any changes in the existing LEA's jurisdictional authority must be re-established through a new resolution.

In approving the attached Resolution, the Board is complying with a requirement of the CIWMB to change the County's LEA designation from DHS to DPH.

Prior to the separation of the two departments, Public Health was the entity within DHS responsible for providing these services on behalf of the County and with approval of this proposed action, DPH will continue to provide these services.

FISCAL IMPACT

There is no fiscal impact to the Department as a result of this action.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

In 1989, the State legislature enacted the California Integrated Solid Waste Management Act. This Act created an article in the Public Resources Code that requires local governing bodies, including cities, to designate a LEA for solid waste issues. The designated LEA had to be certified by the CIWMB by August 1, 1992 or the CIWMB would become the LEA.

The Board previously designated the Department of Health Services as LEA for the County unincorporated area under the prior Solid Waste Control Act. On April 7, 1992, the Board designated the Department of Health Services as the LEA for solid waste management in the unincorporated areas of the County and all of the incorporated jurisdictions of the County, except those jurisdictions which specify another LEA and establish a hearing panel for solid waste permit and appeal purposes. The cities of Los Angeles, Vernon, and West Covina have their own designated LEA's.

On May 30, 2006 the Board approved separating Public Health from the DHS, creating a new DPH. On July 6, 2006 the DPH was formed. All activities related to the LEA now falls under the DPH.

Exhibit I has been reviewed and approved as to use and form by County Counsel. Attachment A provides additional information.

CONTRACTING PROCESS:

Not applicable.

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When approved, this Department requires four signed copies of the Resolution.

Respectfully submitted,



for Jonathan E. Fielding, M.D., M.P.H.
Director and Health Officer

JEF:jr

Attachments (3)

c: Chief Administrator Officer
County Counsel
Executive Officer, Board of Supervisors

SUMMARY OF GRANT AWARD

1. TYPE OF SERVICE:

The California Integrated Waste Management Board (CIWMB) requires the designation of Local Enforcement Agencies for solid waste issues. Upon approval of the attached resolution the Department of Public Health will become the LEA for the County of Los Angeles.

2. AGENCY ADDRESS AND CONTACT PERSON:

California Integrated Waste Management Board
1001 I Street
Sacramento, California 95812
Attention: Mr. Gabe Aboushanab, Supervisor
Permitting and Enforcement Division
Telephone: (916) 341-6869
Facsimile: (916) 319-7465
Electronic mail: gabousha@ciwmb.ca.gov

3. FISCAL IMPACT

There is no fiscal impact to the Department as a result of this action.

4. SERVICE INFORMATION:

This program ensures compliance of waste facilities at all sites under jurisdiction of the DPH' Solid Waste Management Program.

5. ACCOUNTABLE FOR PROGRAM MONITORING AND EVALUATION:

Terrence Powell, Acting Director, Environmental Health

6. APPROVALS:

Public Health:	John F. Schunhoff, Acting Chief Deputy
Contracts and Grants Division:	Gary T. Izumi, Acting Chief
County Counsel (as to form):	Robert Ragland, Senior Deputy County Counsel

RESOLUTION DESIGNATING THE DEPARTMENT OF PUBLIC HEALTH OF THE COUNTY OF LOS ANGELES AS LOCAL ENFORCEMENT AGENCY PURSUANT TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT ACT OF 1989

WHEREAS, California Public Resources Code Section 43202 provides that there may be designated in each county an enforcement agency to carry out the provisions of the California Integrated Waste Management Act of 1989 (Act), commencing with Section 40000 of the Public Resources Code Division 30, as it may be amended from time to time; and

WHEREAS, pursuant to Public Resources Code Section 43203(a), the Board of Supervisors may designate a local enforcement agency (LEA) to carry out provisions of the Act in the County, subject to the approval by a majority of the cities within the County which contain a majority of the population in the incorporated areas of the County; and

WHEREAS, alternatively, pursuant to Public Resources Code Section 43203(d), the Board of Supervisors may designate an LEA for the unincorporated area of the County; and

WHEREAS, the County of Los Angeles, Department of Public Health possesses the required technical expertise, staff resources, budget resources, and training to carry out the enforcement program mandated by the Act;

NOW, THEREFORE, THE BOARD RESOLVES that pursuant to Public Resources Code 43203(a), the County of Los Angeles, Department of Public Health is designated as the Local Enforcement Agency to carry out the provisions of the Act in the County of Los Angeles, except in those cities which designate another enforcement agency; and

BE IT FURTHER RESOLVED that if a majority of the cities containing the majority of the population in the incorporated areas of the County, exclusive of those cities which have named another LEA, fail to sustain this designation, or if as a result of the withdrawal of the concurrence of one or more cities, the required sustaining majority ceases to exist, then pursuant to Public Resources Code, Section 43203(d), the County of Los Angeles, Department of Public Health is designated as the Local Enforcement Agency to carry out the provisions of the Act of 1989 in the incorporated areas of Los Angeles County.

The foregoing resolution was passed on _____ day of _____, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorizes for which said Board so acts.

John F. Schunhoff, Ph.D., Acting Chief Deputy
Department of Public Health

SACHI A. HAMAI, Executive
Officer of the Board of Supervisors
County of Los Angeles

APPROVED AS TO FORM
BY COUNTY COUNSEL:

RAYMOND G. FORTNER

By _____
Deputy

NOTICE OF DESIGNATION OF LOCAL AGENCY
(14CCR SECTION 18051)

LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH

(Name of Agency)

313 North Figueroa Street, Suite 806

(Street Address)

Los Angeles

California

90012

(City)

(State)

(Zip)

(Date)

TO: CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

PLEASE TAKE NOTICE that the County of Los Angeles, Department of Public Health has
(Name of Local Agency)
been designated as the local agency in:

Los Angeles, County

(County, City, or Special District)

on

(Date)

☐ Attached is a sheet listing additional jurisdictions:

1. The designation was made in accordance with California Public Resources Code Section 43203, using the following procedure:

- a. ☒ The local agency was designated by the County Board of Supervisors and was approved by a majority of the cities within the county which contain a majority of the population of the incorporated area of the county;
- b. ☐ A joint exercise of powers agreement pursuant to Government Code Section 6500 was formed as referenced in Public Resources Code Section 43203(b);
- c. ☐ The local agency was designated by the _____ since the city has decided to
designate a separate enforcement agency; (City)
- d. ☐ The County Board of Supervisors designated the local agency for the unincorporated areas of the county.

2. The above designation ☒ (is) ☐ (is not) in specific accordance with the designation indicated in the County-wide Integrated Waste Management Plan.

3. The following are exceptions to our territorial jurisdiction shown in the first paragraph of this NOTICE: (Please include a map clearly identifying the jurisdictional boundaries)

The cities of Los Angeles, West Covina, and Vernon have been certified as their
own LEA.

4. The name and address of the governing body of this local agency is:

County of Los Angeles, Board of Supervisors

(Name)

500 W. Temple Street Los Angeles

(Street Address)

(City)

CA

(State)

90012

(Zip Code)

(213) 974-1411

(Telephone Number)

5. Name and address of the hearing panel of this local agency is/are

SOLID WASTE FACILITIES HEARING PANELc/o COUNTY OF LOS ANGELES' DEPARTMENT OF PUBLIC HEALTH

(Name (s))

5050 COMMERCE DR., BALDWIN PARK, CALIFORNIA, 91706

(Street Address)

(City)

(State)

(Zip Code)

(626) 430-5540

(Telephone Number)

6. The person responsible for direction or management of the local agency and its designated persons are:

Dr. Jonathan Fielding, Director, Department of Public Health

(Name of Local Enforcement Agency Program Manager)

(213) 240-8117

(Telephone Number)

Kenneth Murray, Chief EHS, Solid Waste Management Program

(Name of Contact Person)

(626) 430-5540

(Telephone Number)

7. All resolutions and other documents relevant to compliance with Public Resources Code Section 43203, and Title 14 California Code of Regulations Sections 18051 and 18052 have been certified and are enclosed.

8. The undersigned certifies that the designated local agency is not the operating unit for any solid waste handling or disposal operation, solid waste facility, or disposal site in the designated jurisdiction.

9. Attached is a listing of every permitted, closed, abandoned, exempt, illegal, and inactive solid waste facility and disposal site in the local agency jurisdiction.

Signed by:

(Local Governing Body or Authorized Representative)(Typed or Printed Name)(Title)

NOTE: New information necessary to update the contents of this form, other than the designated agency or its jurisdiction, may be provided in letter format. Local governing body signature is not required for minor change(s).